

FILED

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1 Garrick S. Lew SBN 61889
Law Offices of Garrick S. Lew & Associates
2 600 Townsend Street, Suite 329E
San Francisco, CA 94103-4957
3 Telephone: (415) 575-3588
Facsimile: (415) 522-1506
4 email: gsl@defendergroup.com

5 Attorneys for Defendant Johnson Mai

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8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES,
Plaintiff

12 v.

JOHNSON MAI,

a/k/a Zhi Xiong Mai

a/k/a Uncle Hong,

a/k/a Chi Hong Mak,

a/k/a Hong Suk;

15 LISA LEE,

a/k/a Xiao Ling Li;

16 KAI LUN ZHENG,

a/k/a Wai Keung Cheung,

a/k/a Su Ming,

a/k/a Alan Zheng;

18 ZHI EN HUANG,

a/k/a Gao Lo;

19 DAVID YUEN,


a/k/a Lo Wu,

a/k/a Wu So Gor; and

20 ERIC YU HENG CAI

21 Defendants.
22

No: 3-06-70479 MAG


[PROPOSED] ORDER AND STIPULATION
FOR CONTINUANCE FROM FEBRUARY
26, 2008 TO MARCH 11, 2008 AND
EXCLUDING TIME FROM THE SPEEDY
TRIAL ACT CALCULATION (18 U.S.C. §
3161(h)(8)(A) AND WAIVING TIME
LIMITS UNDER RULE 5.1

23 With the agreement of the parties, and with the consent of the defendants, the Court enters this
24 order scheduling a status conference on March 11, 2008 at 9:30 a.m. before the duty magistrate judge
25 and documenting the defendants' waiver of the preliminary hearing date under Federal Rule of Criminal
26 Procedure 5.1 and the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(B)(ii) and
27 (iv), from February 26, 2008 to and through March 11, 2008. The parties agree, and the Court finds and
28

1 holds, as follows:

2 1. The case is very complex and involves international transactions and shipments, foreign
3 banks and complex monetary transactions, extensive wiretap evidence and conversations in different
4 Chinese language dialects. There are multiple defendants and discovery is voluminous. All defense
5 counsel involved are in need of additional time to prepare the case. Furthermore, the government and
6 defense counsel are actively involved in negotiating the final terms of a global settlement that will
7 resolve all pending charges and forfeiture claims involving all defendants before the court and
8 additional time is necessary to seek approval of the proposed plea and forfeiture agreements with the
9 government.

10 2. All defendants agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §
11 3161(h)(8)(B)(ii) on the basis of complexity and (iv) continuity of counsel for effective preparation
12 taking into account the exercise of due diligence.

13 3. The defendants waive the time limits of Federal Rule of Criminal Procedure 5.1 for
14 preliminary hearing.

15 4. Accordingly, and with the consent of all parties, the Court (1) alternatively sets a
16 preliminary hearing before the duty magistrate judge on March 11, 2008 at 9:30 a.m. and (2) orders that
17 the period from February 26, 2008 to and through March 11, 2008 be excluded from the time period for
18 preliminary hearings under Federal Rule of Criminal Procedure 5.1 and from Speedy Trial Act
19 calculations under 18 U.S.C. § 3161(b).

20

21 IT IS SO STIPULATED:

22

23 DATED: February 21, 2008

/s/ Garrick Lew

GARRICK LEW

Attorney for Defendant Johnson Mai

24

25 DATED: February 21, 2008

/s/ Gil Eisenberg

GIL EISENBERG

Attorney for Defendant Kai Lun Zheng

26

27 DATED: February 21, 2008

/s/ Brian Getz

BRIAN GETZ

Attorney for Zhi En Huang

28

1 DATED: February 21, 2008

/s/ Stuart Hanlon
STUART HANLON
Attorney for David Yuen

3 DATED: February 21, 2008

/s/ Randy Montesano
RANDY MONTESANO
Attorney for Eric Cai

5 DATED: February 21, 2008

/s/ Alice Wong
ALICE WONG
Attorney for Lisa Lee


8 DATED: February 21, 2008

/s/ Thomas Mazzucco
THOMAS MAZZUCCO
Assistant United States Attorney

11 IT IS SO ORDERED.

14 DATED:

2-25-08


United States Magistrate Judge